United Nations

Centre against Apartheid

Notes and Documents

6/91 March 1991

CONCLUDING STATEMENT BY THE COMMONWEALTH COMMITTEE OF FOREIGN MINISTERS ON SOUTHERN AFRICA (LONDON, 16 FEBRUARY 1991)

[Note: Members who attended the special session were: Mr. Joe Clark (Canada) - Chairman; Mr. Gareth Evans (Australia); Mr. Cedric Grant (Guyana); Mr. V.C. Shukla (India); Mr. Dato' Abu Hassan bin Haji Omar (Malaysia); Major-General Ike O.S. Nwachukwu (Nigeria); Mr. Ahmed Hassan Diria (United Republic of Tanzania); Lieutenant-General B.N. Mibenge (Zambia); and Mr. Nathan Shamuyarira (Zimbabwe).]

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CONCLUDING STATEMENT

I. RECENT DEVELOPMENTS IN SOUTH AFRICA

1. The Commonwealth Committee of Foreign Ministers on Southern Africa met in a special session in London on 16 February 1991 to review recent developments in South Africa.

2. The immediate background to the meeting was the statement made by President de Klerk on 1 February 1991 to the South African Parliament in which he endorsed the concept of a multi-party conference to advance constitutional negotiations and announced the Government's intention to introduce legislation to repeal the Land Acts of 1913 and 1936; the Group Areas Act of 1956; the Development of Black Communities Act of 1984; and the Population Registration Act of 1950.

3. The Committee also took particular note of the "Manifesto for the new South Africa", also published on 1 February 1991, in which the South African Government committed itself to "the creation of a free and democratic political system" in which all the people of South Africa "shall participate fully at all levels of Government, on the basis of universal adult franchise"; Government shall "at all times be based upon the consent of the governed"; "all people shall be equal before the law and shall enjoy equal rights regardless of race, colour, sex or creed"; and "all discrimination between groups of people or between individuals shall be eliminated and discriminatory legislation shall be repealed".

4. The Committee welcomed these latest pronouncements and commitments. They agreed that these developments were a substantial progress on the situation since their last meeting at Abuja, Nigeria, in May 1990 and that, when implemented in full and taken together with the measures introduced by the Government in February 1990, would constitute a major advance towards the ending of apartheid.

II. COMMONWEALTH RESPONSE

5. In considering an appropriate response to these developments, the Committee recalled the objective of Commonwealth policy towards South Africa over the years, viz. eradication of apartheid and the establishment of majority rule on the basis of free and fair exercise of universal adult suffrage by all the people in a united and non-fragmented South Africa. The Commonwealth had also consistently maintained that the forms of political settlement in South Africa were for the people of that country - all the people - to determine. In this connection, the Committee noted that the Groote Schuur Meeting of May 1990 and the Pretoria Meeting the following August between the Government and the African National Congress of South Africa (ANC) had led to a number of important agreements relating to the removal of preliminary obstacles to negotiations, which agreements had now been

confirmed by the announcement on 15 February of the adoption of the recommendations of the South African Government/ANC Working Group relating to the release of prisoners, the return of exiles and the suspension of the armed struggle.

6. Notwithstanding these welcome developments, Ministers noted that there had as yet been very little change on the ground and that there had been more promises than concrete action by the South African Government. The Committee expressed particular concern over continuing constraints on political freedom. In the Groote Schuur and Pretoria Minutes, the Government undertook to review security legislation, repeal its repressive provisions and present amendments in the present session of Parliament. Despite assurances that this pledge will be fulfilled, the Government continues to make massive arrests and clings to the most repressive provisions of all - detention without trial and restrictions on public meetings. The Committee stressed that due process of law and the freedoms of assembly and expression are universal human rights, and called on the Government to give effect to them without delay.

III. SUPPORT FOR NEGOTIATIONS

7. The Committee gave close and extensive consideration to how the Commonwealth could best assist the reform process in all the current circumstances. At Abuja, the Committee had affirmed that the Commonwealth stood ready to assist in facilitating the negotiating process and had, in that context, welcomed initiatives to provide assistance such as constitutional expertise and funding for research, conferences and seminars on issues and options for a post-apartheid South Africa. The Committee reaffirmed that commitment and the continuing readiness of the Commonwealth to assist the process of negotiations in any other way that might be deemed appropriate by the parties concerned.

IV. SANCTIONS

8. The purpose of sanctions is to end apartheid. Commonwealth leaders have repeatedly made it clear that their purpose is not punitive but to bring the South African Government to the negotiating table and to keep it there until fundamental and irreversible change had been secured. Sanctions have been crucial in bringing about the changes which have occurred to date, and will go on being crucial if the destruction of apartheid is to be ultimately assured. The Ministers' firm view, accordingly, was that it was crucial to maintain sanctions pressure through all stages of that process, up to and including the adoption of a new constitution. They also emphasized the importance of the Commonwealth remaining united and purposeful in its application of sanctions, and continuing to play a catalytic role in shaping world opinion in respect of the unfolding events in South Africa.

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9. In this context, the Ministers agreed that, while it was not yet time to lift sanctions, the most effective way of securing these objectives in the crucial months ahead would be for sanctions pressure to be maintained by a programmed management approach, relating any change in the application of sanctions not to mere statements of intention but to the adoption of real and practical steps in the destruction of apartheid.

10. They agreed that the elements in this programme should be as follows:

(a) All existing measures should be maintained in their present form until the obstacles to negotiation are overcome in accordance with the Pretoria Minute of 6 August 1990, and the three legislative pillars of apartheid identified in President de Klerk's speech of 1 February 1991 have been repealed as promised, i.e., until remaining political prisoners have been released; the way has been cleared for exiles to return home; repressive security legislation has been reviewed and repealed; and the Group Areas Act, Lands Acts, and Population Registration Act have been repealed. When these conditions have been fulfilled, the Committee will meet again after 30 April 1991, in New Delhi to consider the appropriate response;

(b) The most important forms of pressure on the South African Government - trade and investment sanctions and, above all else, the financial sanctions, including lending by international financial institutions like the International Monetary Fund (IMF) - should not be modified until some further major step has been taken down the path of consitutional reform. This could take the form of the establishment of an interim Government; the establishment of a constituent assembly or some other agreed constitution-making process marking the commencement of final negotiations; or any other form agreed by the multi-party conference;

(c) The arms embargo - applied by the United Nations and supported by a variety of specific Commonwealth measures - should not be lifted until such time as the new constitution is firmly in place. It is not until the new post-apartheid South Africa is firmly established with full democratic control and accountability that the supply of arms should be countenanced by the international community.

V. SPORTING CONTACTS WITH SOUTH AFRICA

11. The Committee warmly welcomed the steps taken by a number of sports organizations within South Africa. Encouraging progress has been made in several codes towards unifying sport under non-racial administration. The Committee agreed that Commonwealth support and encouragement for the unity talks must be of the highest priority, and noted the importance of assisting disadvantaged South African sports organizations, to which member Governments were already providing assistance.

12. The Committee agreed that it was appropriate for those sporting codes which achieve unity to be recognized by the international community. The Committee also agreed that the Commonwealth should continue to be guided in this respect by the views of representative non-racial sporting organizations.

13. The Committee agreed that it was important that the international community - Governments no less than international sports federations - respond collectively and appropriately to developments in South African sport, and in particular to the wishes of the non-racial sports movement whose work to date has been greatly aided by the sports boycott. Taking account of these developments, the Committee agreed to present to the heads of Government who attended the Harare meeting of the Ad Hoc Committee of the Organization of African Unity (OAU) on 7 February 1991 further specific proposals by which the Commonwealth could continue to encourage non-racial sport.

VI. HUMAN RESOURCES DEVELOPMENT FOR A POST-APARTHEID SOUTH AFRICA

14. The Committee welcomed the interim report of the Expert Group and looked forward to the Commonwealth playing as significant a role in the human resource development of a post-apartheid South Africa as it had done in the elimination of apartheid. While the full elaboration of such a programme would have to await the Committee's final report and further political evolution within South Africa, there was an urgent need to take action now if there was to be a smooth transition to the promised non-racial democracy. In this context, and with a view to preparing black South Africans to take senior jobs in government, the Committee endorsed the Expert Group's emphasis on an immediate Commonwealth programme of training and work placements in the following areas: central administration, including judicial, economic, legal, police and security services; local government structures, including all essential services; and technical services, including management of educational institutions, transport and communication.

15. While much of the training and work placements would need to be offered outside South Africa, the Committee agreed that, subject to the criteria laid down by the Expert Group, a beginning should also be made to support training and placements within South Africa in the interests of speed and cost-effectiveness. The training and rehabilitation of returning exiles merited particular attention.

16. In endorsing the Expert Group's report, members of the Committee pledged assistance from their Governments in the implementation of its recommendations and were confident that all Commonwealth Governments would wish to join in this important endeavour. They requested the Secretary-General of the Commonwealth to initiate the necessary action to get the programme going as quickly as possible.

Courtesy of Centre against Apartheid